



PATENT
ATTORNEY DOCKET NO. 50026/031001

Certificate of Mailing: Date of Deposit: January 31, 2003

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Michelle P. Chicos

Printed name of person mailing correspondence

Michelle P. Chicos

Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Toshihiro Nakajima et al. Art Unit: 1645
Serial No.: 09/980,420 Examiner:
Filed: June 5, 2002 Customer No.: 21559
Title: A VECTOR FOR THE EXPRESSION OF TWO FOREIGN GENES

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

SECOND PETITION TO CORRECT FILING RECEIPT

Applicants request that the enclosed filing receipt be corrected as follows:


Under the Title field, replace "A Vector for expressing two foreign genes" to read --A
Vector for the expression of two foreign genes--.

Enclosed are copies of the incorrect filing receipt, transmittal, and cover page of
the application showing the correct information.

If there are any charges or any credits, please apply them to Deposit Account No.
03-2095.

Respectfully submitted,

Date: 31 January 2003



James D. DeCamp, Ph.D.
Reg No. 43,580

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DT03 Rec'd TPTO 12 FEB 2003

Page 1 of 2

PCT
ReceiptUNITED STATES
PATENT AND
TRADEMARK OFFICECommissioner for Patents
Washington, DC 20231
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APPLICATION NUMBER	FILING DATE	GRANT UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/980,420	06/05/2002	1636	998	50026/031001	17	30	2

RECEIVED

JAN 27 2003

CLARK & ELBING

CONFIRMATION NO. 2866

CORRECTED FILING RECEIPT



OC00000009412262

21559
CLARK & ELBING LLP
101 FEDERAL STREET
BOSTON, MA 02110

Date Mailed: 01/23/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Toshihiro Nakajima, Hyogo, JAPAN;
Kenji Nakamaru, Tokyo, JAPAN;
Mamoru Hasegawa, Ibaraki, JAPAN;
Masanori Hayami, Kyoto, JAPAN;
Eiji Ido, Kyoto, JAPAN;

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP00/03955 06/16/2000

Foreign Applications

JAPAN 11/175646 06/22/1999

If Required, Foreign Filing License Granted: 01/22/2003

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

A Vector for the expressing two foreign genes

Replace to read

-- A Vector for the expression of two Foreign Genes --

Preliminary Class

435

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Certificate of Mailing

Date of Deposit November 30, 2001Label Number: EV040971445US

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Substitute Form PTO 1390 U.S. Department of Commerce Patent and Trademark Office

Attorney's Docket Number:
50026/031001

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. Application Number:

INTERNATIONAL APPLICATION NUMBER

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

PCT/JP00/03955

June 16, 2000

June 22, 1999

TITLE OF INVENTION:

A VECTOR FOR THE EXPRESSION OF TWO FOREIGN GENES

APPLICANTS FOR DO/EO/US:

TOSHIHIRO NAKAJIMA, KENJI NAKAMARU, MAMORU HASEGAWA, MASANORI HAYAMI, AND EIJI IDO

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. § 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. § 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. § 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. § 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. § 371(c)(2)).
☒ a. is transmitted herewith (required only if not transmitted by the International Bureau).
☐ b. has been transmitted by the International Bureau.
☐ c. is not required, as the application was filed with the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. § 371(c)(2)).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3)).
☐ a. are transmitted herewith (required only if not transmitted by the International Bureau).
☐ b. have been transmitted by the International Bureau.
☐ c. have not been made; however, the time limit for making such amendments has NOT expired.
☒ d. have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. § 371(c)(3)).
9. ☒ An oath or declaration of the inventors (35 U.S.C. § 371(c)(4)). (unsigned)
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).
11. ☐ An Information Disclosure Statement under 37 C.F.R. §§ 1.97 and 1.98.
12. ☐ An assignment for recording. A separate cover sheet in compliance with 37 §§ 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment, consisting of 2 pages.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: Clean and Marked-up Version (2 pgs.); Sequence Statement (2 pgs.); Sequence Listing (19 pgs.); Diskette (1); PCT/IPEA/401 (4 pgs.); PCT/IPEA/416 (1 pg.); PCT/IPEA/409 (4 pgs.); PCT/IPEA/408 (4 pgs.); PCT/IPEA/402 (1 pg.); PCT/IB/301 (2 pgs.); PCT/IB/332 (1 pg.); PCT/IB/308 (1 pg.); PCT/IB/304 (1 pg.); PCT/ISA/210 (3 pgs.); PCT/ISA/220 (1 pg.); PCT/ISA/202 (1 pg.); PCT/RO/105 (1 pg.); PCT-Easy Version 2.90 (5 pgs.); PCT/ISA/210 (Translation) (2 pgs.), and WO 00/78987 A1.

17.	<input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 C.F.R. § 1.492(A)(1)-(5)): <div style="margin-top: 5px;"> Neither international preliminary examination fee (37 C.F.R. § 1.482) nor international search fee (37 C.F.R. § 1.455(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$ 1040.00 </div> <div style="margin-top: 5px;"> International preliminary examination fee (37 C.F.R. § 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$ 890.00 </div> <div style="margin-top: 5px;"> International preliminary examination fee (37 C.F.R. § 1.482) not paid to USPTO but international search fee (37 C.F.R. § 1.445(a)(2)) paid to USPTO \$740.00 </div> <div style="margin-top: 5px;"> International preliminary examination fee (37 C.F.R. § 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1) - (4) \$ 710.00 </div> <div style="margin-top: 5px;"> International preliminary examination fee paid to USPTO (37 C.F.R. § 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$ 100.00 </div>			
ENTER APPROPRIATE BASIC FEE AMOUNT = \$890.00				
Surcharge of \$130 for furnishing the oath or declaration later than \square 20 OR \square 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(e)). \$0				
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	54 - 20 =	34	x \$18 \$612.00	
Independent claims	2 - 3 =	0	x \$84 \$0	
Multiple dependent claims (if applicable)			+ \$280 \$ 280.00	
TOTAL OF ABOVE CALCULATIONS = \$1782.00				
Reduction of 1/2 for filing by small entity, if applicable. [**Applicant claims small entity status under 37 C.F.R. § 1.27**] \$891.00				
SUBTOTAL = \$891.00				
Processing fee of \$130.00 for furnishing the English translation later than \square 20 OR \square 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(f)). + \$0				
TOTAL NATIONAL FEE = \$891.00				
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. §§ 3.28, 3.31). \$40.00 per property. + \$0				
TOTAL FEES ENCLOSED = \$891.00				
			Amount to be refunded \$	
			charged \$	
<input checked="" type="checkbox"/> a. A check in the amount of \$891.00 to cover the above fees is enclosed. <input type="checkbox"/> b. Please charge my Deposit Account No. 03-2095 in the amount of \$ [***] to cover the above fees. <input checked="" type="checkbox"/> c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 03-2095.				
NOTE: Where an appropriate time limit under 37 C.F.R. §§ 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. § 1.137(a) or (b)) must be filed and granted to restore the application to pending status.				
SEND ALL CORRESPONDENCE TO: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 45%;"> Paul T. Clark Clark & Elbing LLP 176 Federal Street Boston, MA 02110-2214 Telephone: 617-428-0200 Facsimile: 617-428-7045 Customer No.: 21559 </div> <div style="width: 50%; text-align: center;"> Signature Paul T. Clark Reg No. 30,162 James DeCamp Reg. No. 43,580 </div> </div>				

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21559

PATENT, TRADEMARK OFFICE

Revised: 17 March 2000



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Date of Deposit November 30, 2001

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Guy Beardsley

Printed name of person mailing correspondence


Signature of person mailing correspondence

APPLICATION
FOR
UNITED STATES LETTERS PATENT

APPLICANTS : TOSHIHIRO NAKAJIMA, KENJI NAKAMARU,
MAMORU HASEGAWA, MASANORI HAYAMI,
EIJI IDO

TITLE : A VECTOR FOR THE EXPRESSION OF TWO
FOREIGN GENES